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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: HIGH-TECH EMPLOYEE
ANTITRUST LITIGATION

THIS DOCUMENT RELATES TO:

ALL ACTIONS

Master Docket No. 11-CV-2509-LHK

**GOOGLE INC.'S SUPPLEMENT
REGARDING PLAINTIFFS' MOTION
TO COMPEL PRODUCTION OF
DOCUMENTS**

Date: February 26, 2013
Time: 10:00 a.m.
Courtroom: 5, 4th Floor
Judge: Honorable Paul S. Grewal

1 Nothing in Plaintiffs' supplemental submission supports granting Plaintiffs' motion.

2 First, Plaintiffs do not contest

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4 Plaintiffs fail to explain the

5 significance of this fact. Indeed, there is none.
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24 Third, Google does not contest that Mr. Campbell is subject to Intuit's Code of Conduct and
25 Ethics. But as Google has already shown, the Intuit Code of Conduct and Ethics is not a blanket
26 prohibition on personal use of Intuit computers and therefore weight against waiver. *In re Asia*
27 *Global Crossing*, 322 B.R. 247, 261 (Bankr. S.D.N.Y. 2005). Nor have Plaintiffs satisfied any of the
28 other *Asia Global Crossing* factors to support a finding of waiver here.

Dated: February 18, 2013

MAYER BROWN LLP

By: /s/ Lee H. Rubin

Lee H. Rubin

Attorneys for Defendant GOOGLE INC.

ATTESTATION: Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of this document has been obtained from the signatory.